

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED**

NOV 13 2012

JULIA C. DUDLEY, CLERK  
BY: *B. Neely*  
DEPUTY CLERK

DIEGO ALEGRIA SANCHEZ, )  
Petitioner )  
v. )  
UNITED STATES OF AMERICA, )  
Respondent ) )  
Criminal Action No. 7:10-CR-00072  
ORDER  
By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that the above referenced motion pursuant to 28 U.S.C. § 2255 is hereby **DISMISSED**; and this action shall be **STRICKEN** from the active docket of this court. It is further **ORDERED** that a certificate of appealability is **DENIED**.

Sanchez is advised that he may appeal this decision pursuant to Federal Rules of Appellate Procedure 3 and 4 by filing a notice of appeal with this court within sixty (60) days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Federal Rule of Appellate Procedure 4(a)(5).

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to all counsel of record and to Petitioner.

**ENTER:** This 17<sup>th</sup> day of November, 2012.

James C. Turk  
Hon. James C. Turk  
Senior United States District Judge